



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: :
Johann BELLER et al :) Examiner: T. Miller
Appln. No. 09/884,955 :) Group Art Unit: 2855
Filed: June 21, 2001 :)
For: APPARATUS FOR GENERATING :)
AND CONDUCTING A FLUID FLOW,)
AND METHOD OF MONITORING :)
SAID APPARATUS :)

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION REQUESTING CONSIDERATION
OF INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §1.97(d), Applicant, through counsel, hereby petition the Commissioner for consideration of the accompanying Information Disclosure Statement which is being submitted after issuance of the Notice of Allowance and concurrently with payment of the Issue Fee in the application.

The art cited in this Information Disclosure Statement was cited by the Canadian Patent Office during the prosecution of the corresponding Canadian application.

It was noted in the Canadian Patent Office that this reference (Natwick) does not disclose a measuring arrangement responsive to the displacement motions performed by the flow vessel and having a strain sensor for sensing a strain of the support means and providing a sensor signal representative of the displacement motions performed by the flow vessel. Further, Natwick does not teach or suggest the use of the pressure sensor output signal (shown in Fig. 16, oscilloscope trace 600, Fig. 17, oscilloscope trace 620 or Fig. 18,

oscilloscope trace 640 in connection with the disclosure on page 25, line 17 to page 26, line 35) for deriving a frequency of the displacement motions, for estimating an instantaneous volume flow rate of the fluid and/or a totalized volume or for deriving a suction head of the apparatus as claimed. Moreover, Natwick discloses only the use of the pressure signals for detecting occlusion of the flow lines (= flow vessel).

Finally, Natwick does not disclose or teach either a sampler for taking samples of a fluid or a method of operating such a sampler because there is only disclosed a medical pump system acting on a patient's vascular system (see page 1, lines 20 ff).

Please charge any fee associated with this Information Disclosure Statement to Deposit Account 02-0200

23364

CUSTOMER NUMBER

Phone: (703) 683-0500

Date: July 28, 2004

Respectfully submitted,

Felix J. D'Ambrosio

A handwritten signature in black ink, appearing to read 'Felix J. D'Ambrosio', is written over a horizontal line.

Registration No. 25,721

B/O Form PTO-1449

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket Number

BELL3001/FJD

Serial Number

09/884,955

Applicant

Johann BELLER et al

Filing Date

June 21, 2001

Group

2855

Information Disclosure Statement by Applicant

U.S. Patent Documents

Examiner Initial		Document Number	Date	Patentee/Applicant	Class	Subclass	Filing Date if Appropriate

Foreign Patent Documents

Examiner Initial		Document Number	Publication Date	Country/Agency	Class	Subclass	Translation	
							Yes	No
		2,113,474	3/4/1993	Canada				

Other Documents (Including Author, Title, Date, Pertinent Pages, Place of Publication, Etc.)

Examiner

Date Considered

EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.